



Inside Congress

by United States Representative George R. Nethercutt, Jr.

For the week ending March 15, 2002

Welcome to this week's edition of Inside Congress. I am glad to share with you a little of my work in the national legislature. Please follow the listed links or contact my office for more information on the topics mentioned here.

GROWER'S GUIDE TO SELLING PRODUCTS TO CUBA

Last week, Cuba announced an intention to purchase 1,000 metric tons of apples and 20,000 metric tons of peas from Washington state. I have prepared a guide to Cuba sales for local exporters interested in this new market. The process for licensing and shipping goods to Cuba can be complex and I stand ready to assist any exporters with this sale.

The guide is located on my Web site at: <http://www.house.gov/nethercutt>

On Thursday, I sent a letter to the House conferees on the Farm Bill encouraging that they adopt a provision that would permit private financing of sales to Cuba. Current transactions are on a cash-only, or third-country financing basis, and now that Cuba has demonstrated a willingness to buy from the United States, I believe we should provide our exporters the additional tool of financing. A bipartisan group of 63 Members of Congress agreed to sign this letter to the conferees. A copy of the letter can be found on my Web site at: <http://www.house.gov/nethercutt/letters/cubafarmbill.pdf>

LEGISLATION

This week I agreed to cosponsor **H.Res. 368**, introduced by Rep. Mark Foley of Florida, to commend the great work that the Pentagon Renovation Program and its contractors have completed thus far in reconstructing the portion of the Pentagon that was destroyed by the terrorist attack of September 11, 2001.

I also agreed to cosponsor **H.R. 2219**, the **Hope Scholarship Tax Credit Expansion Act**, introduced by Rep. Dave Camp of Michigan. The bill allows more low-income students to take advantage of the tax credit.

I became a cosponsor of **H.R. 3717**, the **Federal Deposit Insurance Reform Act of 2002**, introduced by Rep. Spencer Bachus of Alabama. This bill increases the security of an individual's savings by upping the amount that can be insured from \$100,000 to \$130,000.

I also became a cosponsor of **H.R. 1609**, which helps rural and smaller metropolitan hospitals get the financial resources they need to care for Medicare patients and others. The legislation was introduced by Rep. Phil English of Pennsylvania.

This week I also signed a letter to President Bush urging him to add several Palestinian organizations to the U.S. foreign terrorist organization list: Al-Aqsa Martyr's Brigade, the Tanzim, and Force 17.

ON THE FLOOR

Here is a recap of the legislative activity for the week:

H.R. 2175 - Born-Alive Infants Protection Act of 2001. The bill passed by a voice vote. I voted yes. It has long been accepted as a legal principle that infants who are born alive are persons who are entitled to the protections of the law, and that a live birth occurs whenever an infant, at any stage of development, is expelled from the mother's body and displays any of several specific signs of life--breathing, a heartbeat, and/or definite movement of voluntary muscles. Recent changes in the legal and cultural landscape appear, however, to have brought this well-settled principle into question. This bill makes sure all infants born alive are protected under the law.

H.Res. 365 - Enhanced Border Security and Visa Entry Reform Act. The bill passed 275-137. I voted yes. Because the bill was brought up under suspension of the rules, it required a 2/3 vote to pass.

H.Res.365 compacted two bills together: H.R. 1885, a bill that passed the House on May 21, 2001 by a 336-43 margin dealing with 245(i) extensions and the Enhanced Border Security and Visa Entry Reform Act, which passed the House in December 2001.

H.Res.365 was a compromise to try to get the Senate to enact meaningful border security enhancements. These enhancements include strengthening the foreign student tracking system, requiring the State Department by October 26, 2003 to issue to aliens visas and other travel documents that are tamper-resistant and machine-readable using standardized biometric identifiers, requires U.S. embassies and consulates to utilize terrorist lookout committees in order to ensure that the names of known terrorists are routinely and consistently brought to the attention of consular officials, bars nationals of countries that are state sponsors of terrorism from receiving temporary visas, mandates an electronic data system that allows current and immediate access for consular officers and INS officials to information in databases of U.S. law enforcement agencies and the intelligence community, and authorizes an additional 200 INS inspectors and 200 INS investigative personnel for each of the fiscal years 2002 through 2006.

The bill also temporarily extended Section 245(i). Under Section 245 of the Immigration and Nationality Act (1952), an alien in the U.S. who, on the basis of family relationship

or job skills, becomes eligible for permanent resident status may adjust to that status in the United States without having to go abroad to obtain an immigrant visa. Historically, only those aliens who were here legally could adjust status under Section 245. For aliens to change their status required them to return to their home country. Under the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, those who violated the terms of their visa were barred from applying for permanent resident status for up to 10 years.

Under 245(i), United States citizens may sponsor parents, spouse, children, and siblings. Lawful permanent residents may only sponsor their spouses and their unmarried children. When aliens apply for adjustment, they must pay a \$1000 fine for the immigration violation. *The fact that there is a monetary penalty immediately disqualifies this as being an "amnesty."*

Under 245(i), there is no protection from deportation, and obtaining the proper documents is very difficult. These connections must have already been made by August 14, 2001, which eliminates the "border jumping" phenomenon in hopes of taking advantage of the law.

There are currently approximately 8 million illegal immigrants in the United States. It is expected that this provision will apply to 300,000-500,000 of these individuals.

H.R. 2341 - Class Action Fairness Act of 2002. The bill passed by a vote of 233-190. I voted yes. This bill, which I cosponsored, provides additional protections for consumers on whose behalf class action lawsuits are brought. The legislation would give greater flexibility for suits to be heard in federal court when plaintiffs are from many states, while still ensuring that purely local or intrastate issues remain in state court. This bill also requires that class action notices be written in "plain English" so that consumers can understand the purpose of the class action and their legal rights. It would prohibit settlements in which class members actually lose money in order to pay attorneys' fees in a successful class action suit. Finally, it eliminates the prohibition of awards to class members based on geography and the payment of bounties.

H.R. 2146 - Two Strikes and You're Out Child Protection Act. The bill passed by a vote of 382 -34. I voted yes. H.R. 2146 imposes a penalty of life in prison for persons convicted twice for sex crimes towards children that occur on federal property.

SCHEDULE

I met with Ben Leuty of Spokane to talk about Lewis and Clark Trail preservation. I met with the President of the American Shipbuilding Association, Cynthia Brown, to discuss Navy shipbuilding. Cheney Mayor Amy Jo Sooy, Robert Allen Schweim, Greg Northcutt and Susan Millbank of Spokane Transit came to discuss light rail issues with me. Mayor of Walla Walla Jerry Cummings, City Manager Duane Cole, Dan James and Ball Janik spoke with me about proposed improvements to U.S. 12 from Burbank to Walla Walla. I met with the Washington Association of Wheat Growers about the Farm Bill. I met with Paula Steinolfson of Washington state to discuss county-level FSA issues.

Ray Crabbs of the Points of Light Foundation met with me about funding for the foundation. I met with Ed Schweitzer and Susan Fagan regarding Federal Energy Regulatory Commission and regional transmission issues. Shoreline Mayor Scott Jepsen and City Council Members Rich Gustafson, Linda Montgomery, and City Manager Steve Burkett and Joyce Nichols met with me regarding transportation and economic development. I met with members of the Association of Washington Cities, including Liberty Lake City Council Member Brian Sayrs, Wenatchee City Council Member Chuck Johnson, Stan Finkelstein, executive director of the Association of Washington Cities, Duane Cole, City Manager of Walla Walla, and Jerry Cummings, mayor of Walla Walla.

I met with Dr. Bayly, dean of the College of Veterinary Medicine at WSU. I met with Jim Lord of Spokane, who is a member of the National Association of Postal Supervisors. Washington State Arts Alliance Executive Director Gretchen Johnston met with me. John Lynch from the Arthritis Foundation's Spokane office met with me. Don Millikan of Sterling Savings Bank in Liberty Lake spoke with me at my office. I met with members of the Washington State Housing Finance Commission including Karen Miller, Josephine Tamayo Murray, Ron Forest, Harry Pryde, Kim Herman, Paul Edwards, Dee Taylor, and Maureen Smith regarding affordable housing issues in Washington state. I met with Kip Clark from Major Mortgage. I met with L. Harry Easley, vice chairman of the National Legislative Council for the American Legion for Washington State. I met with Jim Hollingsworth regarding land issues and agro-terrorism legislation. I met with Army Chief of Staff, Gen. Erik Shinseki, at my office about the Army's budget needs.

Undersecretary of Defense, E.C. Aldridge and Director of Force Transformation, Vice Admiral (Ret.) Arthur Cebrowski testified about the need to transform America's defenses at a Defense Appropriations Subcommittee hearing. Farm and Foreign Agriculture Services were the subject of an Agriculture Appropriations Subcommittee hearing. The Interior Appropriations Subcommittee looked into Forest Service funding. I met Melissa Tiffany, a nurse from Spokane, who told me about some of the challenges nurses there are facing now. I congratulated Eastern Washington residents Lindy Cator, Grace Chien, Avis DeRuyter, Kathleen Houston, and Katie Grimes on the 90th anniversary of the Girl Scouts. I met with Jim Kile of the Cenex Harvest States Board on the Farm Bill and other agriculture issues. The Northern Border Caucus, which I co-chair, met to discuss homeland security issues. The Science Committee Subcommittee on Energy dealt with pipeline safety issues. At the Northwest Energy Caucus, which I co-chair, we held a hearing with regional stakeholders to discuss Regional Transmission Organizations and RTO West specifically.

Secretary of the Army Thomas White and Army Chief of Staff Gen. Erik Shinseki testified before the Defense Appropriations Subcommittee on the Army's funding needs for the upcoming year. The Food Safety and Inspection Service was the topic of an Agriculture Appropriations Subcommittee that I attended. The Interior Appropriations Subcommittee looked at Bureau of Indian Affairs budget request in a hearing. Presidential Classroom students from Inchelium, Genie Agapith, Jacquelyn Johnson, Jamie Leonard, Shelby Mason, Corey Peone, Cary Rosenbau, Christina Simmons,

Kassandra Simmons, Amanda Thomas, and Rollene Warren came by my office to say hello. I also met Keith Peterson of Columbia Burbank High School who was here with the National Young Leaders Conference. I convened and hosted a Diabetes Caucus luncheon with officials from the Centers for Disease Control and our state diabetes control officer to help congressional staffers learn how they can educate their constituents on prevention and treatment of diabetes. I met with Keith Klingele and Vicky Scharlau of the Washington Association of Wine Grape Growers about regulations affecting the burgeoning Washington wine industry's ability to expand. I met Cheryl Scott, president and CEO of Group Health Cooperative who was here to discuss Medicare issues, including payment and regulations. I met with Tim McGreevy and Jim Evans with the USA Dry Pea and Lentil Association.

Mary Selecky, the Washington State Secretary of Health met with me regarding public health funding issues for the upcoming year.

David Warren, president of the National Association of Independent Colleges and Universities met with me regarding student aid issues. Al Smith and Eric Thoemmes of Lockheed Martin met with me regarding space programs. National Park Service Director Fran Mainella came in to discuss Park Service funding issues. I met with Whitworth College Dean Kyle Usrey about the progress of the new Global Commerce and Management program.

CONTACT INFORMATION:

I always enjoy hearing from you. Please feel free to contact me if I can be of assistance to you in any matter. Here are some of the ways you may reach me, especially if you know of others who may want to receive this report each week:

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